

From: Ford Prefect
To: Microsoft ATR
Date: 1/23/02 12:07pm
Subject: Microsoft Settlement

The Proposed Final Judgment allows many exclusionary practices to continue, and does not take any direct measures to reduce the Applications Barrier to Entry faced by new entrants to the market.

The PFJ as currently written appears to lack an effective enforcement mechanism. It does provide for the creation of a Technical Committee with investigative powers, but appears to leave all actual enforcement to the legal system.

The definitions of various terms in Part VI of the PFJ differ from the definitions in the Findings of Fact and in common usage, apparently to Microsoft's benefit.

For these and many other reasons, the judgement appears slanted sharply in Microsoft's favor, and is an unacceptable remedy to the company's past abuses. In fact, the computing industry as a whole is rallying against this proposed judgement, just take a look at the Computer & Communications Industry Assoc. website:

<http://www.ccianet.org/papers/ms/sellout.php3>

The PFJ suffers from a serious problem of ineffectiveness. And even its limited provisions (API disclosure, icon removal, etc.) rely exclusively on OEMs to provide a competitive alternative to Windows.

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